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JC962 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

Under Small Entity Status
(New Nonprovisional Applications Under 37 CFR § 1.53(b))Attorney Docket No.
AB-126U

JC997 U.S. PTO

09/929597

08/13/01

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, Todd K. Whitehurst, entitled Fully Implantable Microstimulator for Spinal Nerve, Spinal Nerve Root, and/or Spinal Cord Stimulation as a Therapy for Chronic Pain, for a(n):

(X) Original Patent Application.

() Continuing Application (prior application not abandoned):

() Continuation () Divisional () Continuation-in-part (CIP)
of prior Application No. _____, filed on _____.

Enclosed are:

(X) Application Data Sheet 2 Total Sheet(s).(X) Non-Publication Request 1 Total Sheet(s).(X) Specification; 24 Total Pages + cover sheet.(X) Drawing(s); 8 Total Sheets of formal drawings + 8 Total Sheets of copy of drawings.

(X) Oath or Declaration:

(X) A Newly Executed Combined Declaration and Power of Attorney:

(X) Signed. () Unsigned. () Partially Signed.

() A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

() Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

() Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

(X) Return Receipt Postcard.

| CLAIMS AS FILED | | | | |
|--|-----------|-----------|---------|----------|
| FOR | NO. FILED | NO. EXTRA | RATE | FEE |
| Total Claims | 24 | 4 | \$9.00 | \$36.00 |
| Independent Claims | 3 | 0 | \$40.00 | \$0.00 |
| Multiple Dependent Claim Fee (if applicable) | | | | \$0.00 |
| Basic Filing Fee | | | | \$355.00 |
| Total Filing Fee | | | | \$391.00 |

(X) Applicant claims small entity status. See 37 CFR 1.27.

Please charge \$ 391.00 to Deposit Account No. 50-0648 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, the Commissioner is hereby authorized to charge any fees required or credit any overpayment to this Deposit Account. A duplicate copy of this sheet is enclosed for fee processing against this Deposit Account.

Respectfully submitted,

By: Laura H Bishop

Laura Haburay Bishop, Reg. No. 47,424

Date: August 13, 2001

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PATENT TRADEMARK OFFICE

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Assistant Commissioner for Patents
Box Patent Application
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By: Laura H Bishop

Typed Name: Laura Haburay Bishop

Express Mail Label No.: EL844239649US

Date of Deposit: August 13, 2001

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|----------------------|---|
| First Named Inventor | Whitehurst, et al. |
| Title | Fully Implantable Microstimulator for Spinal Nerve, Spinal Nerve Root, and/or Spinal Cord Stimulation as a Therapy for Chronic Pain |
| Atty Docket Number | AB-126U |

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.